

PROB 12B
(7/93)

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JUN 08 2005

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Eugene Clayton Petty

Case Number: 2:04CR00151-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 9/17/1998

Type of Supervision: Supervised Release

Original Offense: Possession With Intent to
Distribute a Controlled Substance, 21 U.S.C. §
841(a)(1)

Date Supervision Commenced: 6/3/2005

Original Sentence: Prison - 86 Months;
TSR - 60 Months

Date Supervision Expires: 2/02/2008

PETITIONING THE COURT

To modify the conditions of supervision as follows:

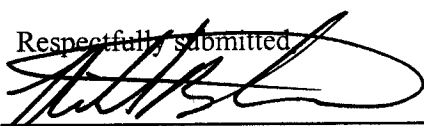
8. You shall abstain from the use of alcohol and illegal controlled substances, and shall submit to urinalysis testing, including Breathalyzer testing, as directed by the supervising probation officer.

CAUSE

The defendant's term of supervised release was revoked on March 16, 2005. The Court imposed 32 months of supervised release with all previous conditions imposed. A condition that was previously imposed was substance abuse testing. Mr. Petty has an extensive history of chemical dependency abuse, and testing will allow the probation office to continue monitoring any resumed drug use.

Respectfully submitted

by


Richard B. Law
U.S. Probation Officer
Date: June 7, 2005

Prob 12B

Re: Petty, Eugene Clayton

June 7, 2005

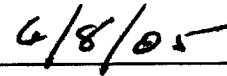
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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

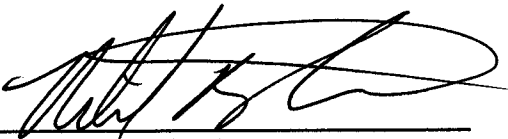
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

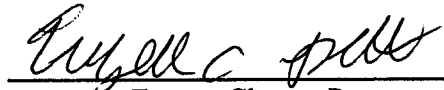
- 8 You shall abstain from the use of alcohol and illegal controlled substances, and shall submit to urinalysis testing, including Breathalyzer testing, as directed by the supervising probation officer.

Witness:



Richard B. Law
U.S. Probation Officer

Signed:



Eugene Clayton Petty
Probationer or Supervised Releasee

6/6/05

Date